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News Release



(SC)

04-040

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For Release: April 27, 2004

SERVICE PROPOSES CRITICAL HABITAT FOR ENDANGERED RIVERSIDE FAIRY SHRIMP

The U.S. Fish and Wildlife Service announced today it has issued a new proposed rule to designate critical habitat for the Riverside fairy shrimp. This proposal follows the Oct. 23, 2000 legal challenge to its previous designation of critical habitat for the species. Public comments on the proposal will be accepted until 5:00 p.m. on May 27, 2004.

The Riverside fairy shrimp (*Streptocephalus woottoni*) is a small, freshwater aquatic crustacean that inhabits vernal pools in portions of southern California. Approximately 5,795 acres of land in Ventura, Los Angeles, Orange, Riverside and San Diego counties, encompassing a mix of Federal, State, local and private lands, are being proposed as critical habitat.

Six separate critical habitat units that cover the species' range are proposed: Transverse Range Unit, Los Angeles Basin-Orange Unit, Western Riverside Unit, North San Diego Unit, Central San Diego Unit, and South San Diego Unit. Each of the six proposed units corresponds to management areas identified in the 1998 Recovery Plan for Vernal Pools of Southern California.

"The Service reviewed each area containing essential habitat to determine if special management considerations or protection are already in place, or if the benefits of excluding an area from proposed critical habitat outweigh the benefits of including it," said Steve Thompson, Manager of the Service's California/Nevada Operations Office. "We relied on the recent amendments to the Endangered Species Act (ESA) in the National Defense Authorization Act concerning critical habitat on military land – in making our proposed determinations."

All the areas included in the proposed rule contain habitat components that Riverside fairy shrimp require for foraging, sheltering, reproducing, and dispersing.

The following areas were excluded from the critical habitat designation:

- Land within the boundaries of the Orange County Central-Coastal Natural Communities Conservation Plan/Habitat Conservation Plan, the San Diego Multiple Species Conservation Program, and the draft Western Riverside Multiple Species Habitat Conservation Plan. The Service determined that the benefit of excluding the lands was greater than the benefit of including them in its proposal.
- Land on the Marine Corps Air Station at Miramar. The station's Integrated Natural Resources Management Plan, or INRMP, was found to provide a conservation benefit to the Riverside fairy shrimp.
- Mission-critical training areas on the Marine Corps Base at Camp Pendleton. National security considerations were the basis for this exclusion.

To ensure adequate public review of this proposal, maps are available for viewing that show lands essential to the conservation of the Riverside fairy shrimp:

- in mission-essential training areas on Camp Pendleton;
- in areas covered by an INRMP;
- in areas within completed or draft HCPs.

These maps can be found on the Internet at <http://carlsbad.fws.gov>. The public may also visit the Carlsbad Fish and Wildlife Office, by appointment, during normal business hours to view these maps. The Service also is soliciting public comment on the proposed exclusions from critical habitat.

Vernal pools are temporary wetlands that fill with water during fall and winter rains. They are home to many plants and animals that, in turn, form a valuable part of the food chain for a wide array of animals, including birds of prey, shorebirds, migratory waterfowl, frogs, toads and salamanders, and pollinating insects.

The Riverside fairy shrimp is found in vernal pools of moderate to deep depths from January through March, during years of adequate rainfall. Adult Riverside fairy shrimp measure between one-half and an inch in length and have a delicate elongated body, large stalked compound eyes and 11 pairs of swimming legs. They swim or glide gracefully upside down by using complex wave-like beating movements of the legs that pass from front to back.

As a result of urban development, agriculture, off-road vehicle activity, livestock overgrazing and other land uses, more than 90 percent of the vernal pool habitat in southern California has been destroyed or otherwise impacted. As the vernal pools have disappeared, populations of Riverside fairy shrimp and other species that rely on this habitat have declined.

Critical habitat is a term in the ESA identifying geographic areas that contain the physical and biological features essential for the conservation of a threatened or endangered species and that may require special management considerations. The designation of critical habitat does not affect land ownership or establish a refuge, wilderness, reserve, preserve, or other conservation area. It does not allow government or public access to private lands.

In 30 years of implementing the ESA, the Service has found that the designation of critical habitat provides little additional protection to most listed species, while preventing the Service from using scarce conservation resources for activities with greater conservation benefits.

In almost all cases, recovery of listed species will come through voluntary cooperative partnerships, not regulatory measures such as critical habitat. Habitat is also protected through cooperative measures under the Endangered Species Act including Habitat Conservation Plans, Safe Harbor Agreements, Candidate Conservation Agreements and state programs. In addition, voluntary partnership programs such as the Service's Private Stewardship Grants and Partners for Fish and Wildlife program also restore habitat. Habitat for endangered species is provided on many national wildlife refuges, managed by the U.S. Fish and Wildlife Service and state wildlife management areas.

The proposed rule to designate critical habitat for the Riverside fairy shrimp was published in today's *Federal Register*. Written comments on the proposed rule should be submitted to the Field Supervisor, Carlsbad Fish and Wildlife Office, 6010 Hidden Valley Road, Carlsbad, California 92009. Requests for a public hearing on the proposed rule must be submitted in writing to the above address no later than 5:00 p.m. on June 11, 2004. A separate announcement will be made when the draft economic analysis is released to the public.

Comments may also be submitted by electronic mail to **fw1rvfs@r1.fws.gov**. Please submit electronic comments as an ASCII file and avoid the use of special characters or encryption. Please include "Attn: RIN-1018-AI71" in your subject header and your name and return address in the body of your electronic message. If you do not receive a confirmation from the system that your message was received, please contact the Carlsbad Fish and Wildlife Office at 760/431-9440.

The U.S. Fish and Wildlife Service is the principal Federal agency responsible for conserving, protecting and enhancing fish, wildlife and plants and their habitats for the continuing benefit of the American people. The Service manages the 95-million-acre National Wildlife Refuge System which encompasses 544 national wildlife refuges, thousands of small wetlands and other special management areas. It also operates 69 national fish hatcheries, 63 fishery resource offices and 81 ecological services field stations. The agency enforces Federal wildlife laws, administers the Endangered Species Act, manages migratory bird populations, restores nationally significant fisheries, conserves and restores wildlife habitat such as wetlands, and helps foreign governments with their conservation efforts. It also oversees the Federal Aid program that distributes hundreds of millions of dollars in excise taxes on fishing and hunting equipment to State fish and wildlife agencies.

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